IN RE: PETITION FOR ADMIN. SPECIAL

HEARING - N/S Ashland Road, 290 ft.

E of c/l of Clay Hill Circle \* ZONING COMMISSIONER

216 Ashland Road

8th Election District \* OF BALTIMORE COUNTY

3rd Councilmanic District

Frank A. Traglia, et ux \* Case No. 99-190-SPH

Petitioners

\* \* \* \* \* \* \* \* \* \* \*

BEFORE THE

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Special Hearing filed by the owners of the subject property, Frank A. Traglia and Loretta E. Traglia, his wife. The Petitioners seeks approval of a waiver, pursuant to Sections 26-172(b) and 26-171 of the Baltimore County Code (BCC), of the requirements of Section 26-203(c)(8) of the Code, and finding that their proposal satisfies the requirements of Section 26-278 of the Code, as those regulations relate to the preservation of historical buildings and sites, to approve the construction of an addition to the existing building. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Special Hearing.

Section 26-172(b) of the Baltimore County Code (BCC) provides that waivers from the requirements of Section 26-203 of the Code (i.e., development plan) can be granted by the Director of Permits and Development Management (PDM). Such requirements can be waived upon a finding that the size, scope and nature of the proposed development does not justify strict compliance, that a waiver would be within the scope, purpose and intent of the regulations, and that the proposed development complies with all of the County laws, ordinances and regulations. In order to afford due process, the Director has designated the Zoning Commissioner (Hearing Officer) to consider the waiver request filed in this instance. Moreover,

ONDER RECEIVED FOR FILING
Dec A STORY

in order to provide public notice, the property was posted with a sign describing the request on November 13, 1998. There has been no request by the public for a hearing or any public input for the requisite period (15 days) after posting of the property. Thus, the matter is eligible for review and resolution by this Hearing Officer.

The Petitioners have filed the supporting documents and affidavits as required by Section 26-171(b)(1) of the Code, and a site plan of the property depicting existing and proposed improvements. A description of the property contained within the case file indicates that the property consists of 7423 sq. ft., more or less, zoned D.R.3.5, and is improved with a single family dwelling and detached garage. The property is located in the residential subdivision known as Ashland in Hunt Valley. The Petitioners propose to construct an addition to the existing dwelling. The information submitted is persuasive to a finding that the proposed renovation and improvements are consistent with the character and historic features of the existing buildings and will not be inappropriate. Furthermore, the Landmarks Preservation Commission received the Petitioners' proposal and recommended a finding that the project is consistent with Section 26-278 of the Baltimore County Code on November 12, 1998. I There is no evidence in the file to indicate that the requested waiver would adversely affect the health, safety or general welfare of the surrounding community and should, therefore, be granted. request complies with the requirements of the Baltimore County Zoning Regulations (BCZR) and should be approved. In addition, a finding that this matter qualifies for an exemption from the Development Review process as codified in the BCC is also appropriate.

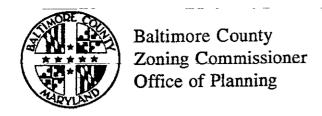
Pursuant to the posting of the property and the provisions of the BCC and the BCZR, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of December 1998 that the Petition for Administrative Special Hearing seeking approval of a waiver, pursuant to Sections 26-171 and 26-172(b) of the BCC, of the requirements of Sections 26-203(c)(8) of the BCC, and a finding that the proposed improvements are consistent with Section 26-278 of the Code, as those regulations relate to the preservation of historical buildings and sites, to approve the construction of an addition to the existing dwelling, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

ES:mmn

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

December 9, 1998

Mr. and Mrs. Frank A. Traglia 216 Ashland Road Cockeysville, Maryland 21030

> RE: Petition for Administrative Special Hearing Case No. 99-190-SPH Property:100 216 Ashland Road

Dear Mr. and Mrs. Traglia:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

very crury yours

Lawrence E. Schmidt Zoning Commissioner

LES:mmn

## ADMINISTRATIVE SPECIAL HEARING CLOSING DATE - NOVEMBER 30, 1998

CASE NUMBER: 99-190-SPH

216 Ashland Road N/S Ashland Road, 290' E of centerline Clay Hill Circle 8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District Legal Owner: Frank A. Traglia & Loretta E. Traglia

Administrative Special Hearing to construct an addition to an existing building.

CASE NUMBER: 99-195-SPH

12231 Long Green Pike W/S Long Green Pike, 2000' N of Glen Arm Road 11<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District Legal Owner: Lance G. Cooper & Barbara Cooper

Administrative Special Hearing to raze and alter an existing original historic structure, to convert original portion of house to an antique shop, retain the outbuilding as a garage, and convert the barn to a residence.

If the back of the administrative special hearing form (notarized affidavit) is not filed before the closing date of November 30, 1998, we recommend DISAPPROVAL of the above special hearings due to the fact that the proper forms were not filed. (See memo from WCR dated 11/16/98.)

## Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

Estimated Posting Date  $_{-}$  (  $|\cdot| \leq \cdot 95$ 



Revised 9/18/98 - wcr/sci

for the property located at 216 ASHLAND ROAD

which is presently zoned O R

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code

of Sections 26-203(C)(8) and Section 26-278 to

LONSTRUG AN HODITION TO AN EXISTING BUNDLING

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly dec perjury, that I/we are is the subject of this F	clare and affirm, under the the legal owner(s) of the Petition.	e penalties of property which
Contract Purchase	er/Lessee:		Legal Owner(s):	<u> </u>	
			FRANK A	. TRAGLIA	-
Name - Type or Print			Name - Type or Print	1e Cali	
Signature			Signature LORETTA	E. TRAI	64114
Address		Telephone No.	Name - Type or Print	a gin	ogle.
City	State	Zip Code	Signature		
Attorney For Petiti	oner:		216 AS HCA	ND ND (410)	7527-0594 Telephone No.
			(OCKEXSVICE	B MO 3	1030
Name - Type or Print			City	State	Zip Code
Signature			Representative t	o be Contacted:	
_			1 cas	77 D E	TRAGUS
Company			Name	E ARODE)	
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having this day of regulations of Baltimore Co	. 11	at the subject matter of t	required, it is ordered by the his petition be set for a public	he Zoning Commissioner of hearing, advertised, as req	f Baltimore County, uired by the zoning
	00.0		Zoning Comm	issioner of Baltimore Count	V
CASE NUMBER	<b>.444</b>	10-2b	Reviewed By	ITA Date	11-4-98

## ffidavit in Support of Administrative Special Hearing

99-190-SPU

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

<b>,</b>		•				
That the Affiant(s) does/do presently reside at	2/6 Address	ASH	ILANK	2 /	LOAD	
	COCKE	YSUICLE	5. 1	20	·	21030
	City	-		State		Zip Code
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide	ormal dema	and is filed, nformation.	Affiant(s)	will be re	equired to	pay a reposting and
/hl/h/l			Joe	Tha	91	ran
Signature		Signatu	are (	- V 4-	•	Ĵ
FRANK TRAGLIA Name - Type or Print		Lo	12 LETT	A	E	TRAGLIA
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to v	vit:				
I HEREBY CERTIFY, this day of			98.	before m	e, a Notary	Public of the State
of Maryland, in and for the County aforesaid, pe						
Loretta E Tanglia			TRA	slia		<u> </u>
the Affiant(s) herein, personally known or satisf					ind made o	ath in due form of
law that the matters and facts hereinabove set	forth are tru	e and correc	t to the be	st of his/h	ner/their kno	wledge and belief.
AS WITNESS my hand and Notarial Seal						
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11-21-98 Date	ī	√ Notary Public	Tour	<u>/ 4u</u>	<del>/</del>	
		/ly Commissi		s	FRA	ANKLAY STATE OF MARYLAND
<b>28</b> 0 918198	-			- · wh	Commission (	STATE OF MARYLANG Septres June 1, 1990

## ZONING DESCRIPTION

## 216 ASHLAND ROAD COCKEYSVILLE, MD 21030

Beginning at a point on the north side of Ashland Road, that is 30 feet wide at the distance of 290 feet east of the centerline of the nearest improved intersecting street (Clay Hill Circle) which is 30 feet wide. Being Lot #5, Block B, Section No. -- in the subdivision of Ashland as recorded in Baltimore County Plat Book # E.H.K.Jr. 54 Folio #82, containing 7423.57 square feet. Also known as 216 Ashland Road and located in the 8<sup>th</sup> election district, 3<sup>rd</sup> councilmanic district

PHILD RECEIPT  PROCESS ACTUAL  LVOS/1978 11/04/1998 15:57:11  LVOS/1978 11/04/1998 15:57:11  REGILLARUNG CASH RETERPT  S. MISKELLARUNG CASH RETERPT  CR. NO. 06/0739 50 000 CHECK  BAITTIMOVE COUNTY, NA YEARD	
-AND 94-190-5P41 CHAND 94-190-5P41 CHACCOUNT R. COL. GLOOACCOUNT 8 COL. GLOO.	DAILLE BUILDINGSONER  PINK, AGENCY YELLOW: CUSTOMER  PINK, AGENCY YELLOW: CUSTOMER
BALTIMORE COUNTY, MA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT MISCELLANEOUS RECEIPT	PROM: FOR:  POR:  DISTRIBUTION PINK - AG WHITE - CASHIER



ADMIN, SPECIAL HRG. (H)

RE. Case No. 99-190 · SPH (H)

Petitioner/Developer MB. ABE, ETAL C/O JOHN MEGRAIN

Date of Hearing/Closing 11/30/98

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #ZI6 ASHLAND RD.

11 /13 /98 (Month, Day, Year) The sign(s) were posted on \_\_\_

Sincerely,

99-190-57+(4)

ASHLAND RD.

Jul M. Olalo St. 11/20/98 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
216 Ashland Road 8th Election District, 3rd Councilmanic	<b>*</b>	ZONING COMMISSIONER
Legal Owners: Frank and Loretta Traglia	*	FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	Case Number: 99-190-SPH

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

**CAROLE S. DEMILIO** 

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

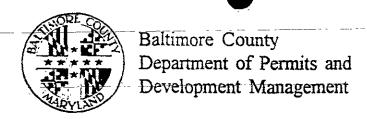
Towson, MD 21204

(410) 887-2188

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25 day of November, 1998, a copy of the foregoing Entry of Appearance was mailed to Legal Owners Frank and Loretta Traglia, 216 Ashland Road, Cockeysville, MD 21030, Petitioner(s).

PETER MAX ZIMMERMAN



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

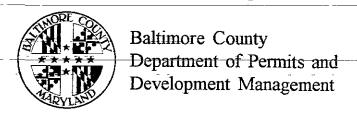
NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 99-190-SPA.
Petitioner: FRANK + CORETTA TRAGCIA
Location: 216 ASHLAND ND, COCKEYSVICLE, MD 20030
PLEASE FORWARD ADVERTISING BILL TO:
NAME: FRANK TRAGEIA
ADDRESS: 216 ASITLAND ROAD
COCKETS VILLE MD 2.1030
PHONE NUMBER: (419) 527-0594
AJ:ggs

99-190-SPU -16-

(Revised 09/24/96)

Printed



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

November 30, 1998

Mr. & Mrs. Frank A. Traglia 216 Ashland Road Cockeysville, MD 21030

RE: Item No.: 190

Case No.: 99-190-SPH

Location: 216 Ashland Road

Dear Mr. & Mrs. Traglia:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on November 4, 1998.

Zoning The Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



# DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

## INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley (02) Permits and Development Review

DEPSM

SUEJECT:

Zoning Advisory Committe Meeting Date: \_\_///6

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Itam #'s:

RES:sp

BRUCE2/DEFRM/TXTSBP



## Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

David L. Winstead Secretary -

Parker F. Williams Administrator

Date: 11.17.91

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

**Baltimore County** 

Item No.

190

JRA

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (Igredlein@sha.state.md.us).

Very truly yours,

4. J. Dredh

/ Michael M. Lenhart, Acting Chief Engineering Access Permits Division

## **BALTIMORE COUNTY, MARYLAND**

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 1, 1998

Dept. of Permits & Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

216 Ashland Road

### **INFORMATION**

Item Number:

190

Petitioner:

Loretta Traglia

Zoning:

DR 3.5

Requested Action:

Special Hearing

**RECOMMENDATIONS ON THE PROPOSAL** – The property located at 216 Ashland Road is listed on the Maryland Historical Trust Inventory as the "Furnace Workers Complex," (ca. 1850), No. BA 2450.

At their meeting on November 12, 1998, the Landmarks Preservation Commission unanimously agreed to recommend to the Hearing Officer a finding that, under Section 26-172 (a) (1), the proposed addition would be within the scope, purpose and intent of Section 26-278. The Office of Planning concurs with the Commission's recommendation.

Section Chief:

KA:kra

c: Robert C. Scott

**Landmarks Preservation Commission** 



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

November 29, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 16, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

189, 190, 191, 192, 193, and 195

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4861, MS-1103F

cc: File

## BALTIMORE COUNTY, MARYLAND Inter-Office Memorandum

DATE:

November 16, 1998

TO:

Zoning Commissioner/Deputy Zoning Commissioner

FROM:

W. Carl Richards, Jr.

Supervisor, Zoning Review LCA

SUBJECT:

Incomplete Petition Forms

Case Number 99-190-SPH

216 Ashland Road Loretta & Frank Traglia

Case Number 99-195-SPH 12231 Long Green Pike Barbara & Lance Cooper

If the back of the administrative special hearing form (notarized affidavit) is not filed before the closing date of November 30, 1998, we recommend DISAPPROVAL of the above special hearings due to the fact that the proper forms were not filed.

WCR:scj

c: John R. Alexander

MODE = MEMORY TRANSMISSION

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END=DCT-07 09:15

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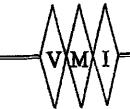
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410 965 0695- \*\*\*\*\*\*\*\*\*\*

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## VILLAGE MANAGEMENT, INC.

In the Business of Property Management Since 1984
Corpose Offices Located in The Village of Cross Keys

April 14, 1998

Frank and Loretta Traglia 216 Ashland Road Hunt Valley, Maryland 21030

Re: Family Room Addition

Dear Mr. and Mrs. Traglia:

I have been advised by the Architectural Review Committee that your plans were accepted with one condition, the plan and building are to include a full window at the center of the north elevation. If you have any questions, please give me a call.

ASHLAND SITE PLANT.

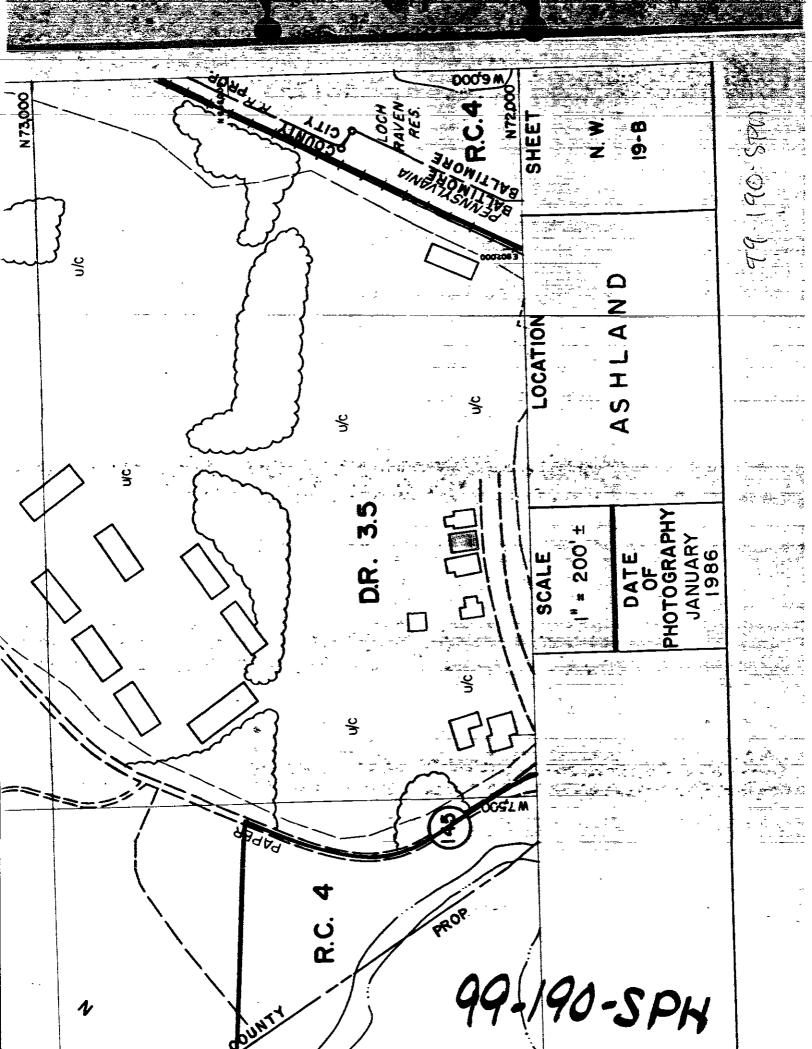
Sincerely.

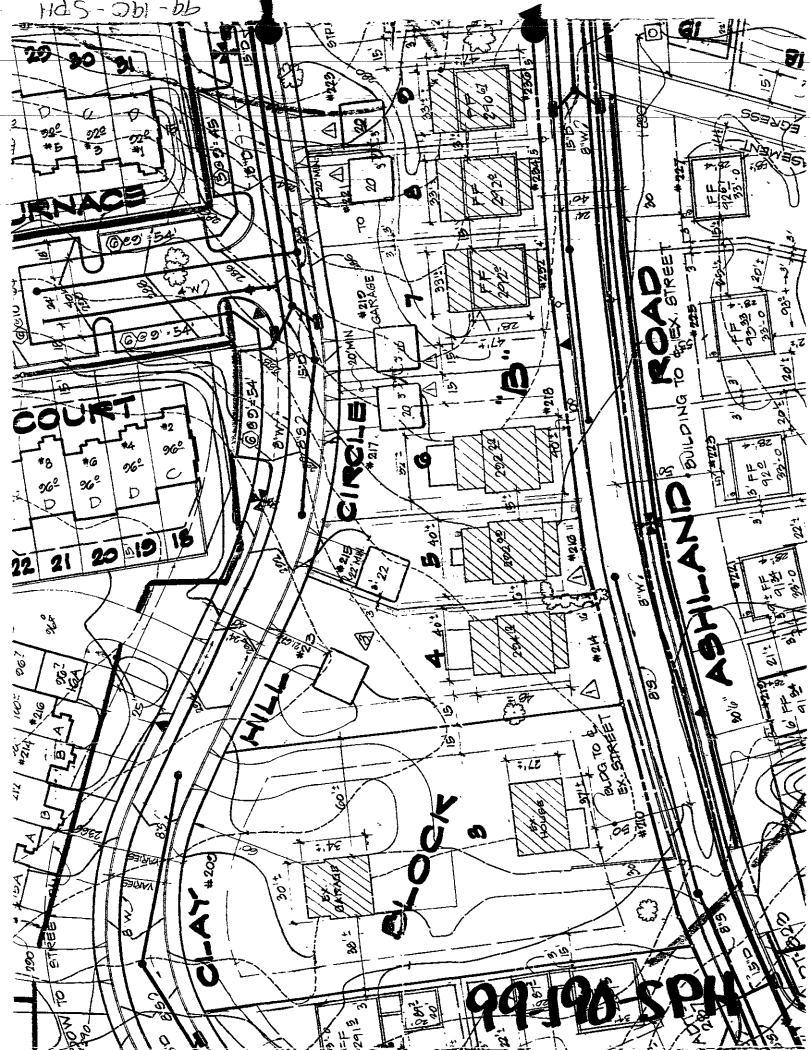
Dave Johnson, CMCA, AMS

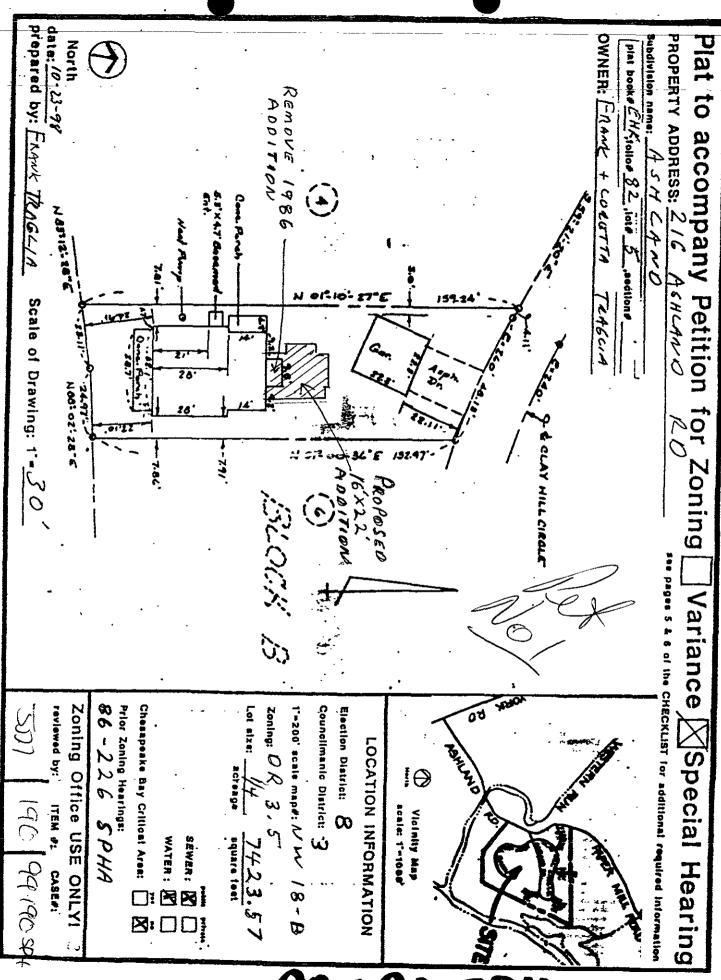
Property Manager

Ashland Homeowners Association

99-190-SP4







1.517

-15-





99-190-SPH





99-190-SPH

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

## ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 9	99- 190	-SPH(H)	Address _	216A	SHUAND	ROAD
Contact Person:		Please Print Your No	APDEA	PI	none Number:	410-887-3391
Filing Date:	11-4-98			11-15-98	Closing Dat	e: <u>11-30</u> 9
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commission changed of	E PUBLIC HEAR due to a neighb oner), notification giving notice of the ertification of this	ors formal re will be forw he hearing dat	equest or arded to y e. time and	by order of th ou. The sign	le zoning or d n on the prop when the sign	leputy zoning erty must be was originally
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Petitioner: This Part of the Form is for the Sign Poster Only						
USE THE SPECIAL HEARING SIGN FORMAT						
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Petitioner's Name	- TAGL	LA	<del></del>	Telep	hone <u>410 5</u>	127059 R
Posting Date: _	11-15-9	<u> </u>	Clos	ing Date:	11-30-0	78
Vording for Sign: Administrative Special Hearing to approve Construction of						
AN ADDITION TO AN EXISTING BUILDING						
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